



THE OFFICE OF CHARTER SCHOOLS

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Date: September 5, 2019
To: Chief Brad Leon
From: Alexander Burke Roberson
Page Length: 7
RE: SECH Investigation Findings

MEMORANDUM

I. INTRODUCTION AND INVESTIGATORY SUMMARY

In August 2019, several parents, students, and former employees of Southwest Early College High (“SECH”) came to the Office of Charter Schools and appeared before the Shelby County Schools Board of Education to lodge the following allegations concerning SECH, an SCS Charter-Managed School that opened in the 2017-2018 school year:

- ALLEGATION #1. Students began the year without schedules. Students received partial schedules on August 27. Students are attending only half-days because of this scheduling error.
- ALLEGATION #2. There are significant staffing shortages in the 10th and 11th grades, including core tested subjects. AmeriCorps Members are teaching courses as substitutes. Only Dual Enrollment courses are currently available for 11th graders. Students are taking courses primarily on-line without in-person instruction.
- ALLEGATION #3. Students with IEPs are not receiving proper accommodations.
- ALLEGATION #4. Students will not receive an Associates Degree upon graduation.
- ALLEGATION #5. Students have not been provided text books or course materials for Dual Enrollment courses.
- ALLEGATION #6. Students are not escorted across the college campus.
- ALLEGATION #7. Students are missing required credits, jeopardizing their ability to graduate on time.
- ALLEGATION #8. Courses are being taught out of sequence, including courses with prerequisites.
- ALLEGATION #9. Students are unable to take credit recovery courses.

2 – SECH Investigation Findings

Following a directive from the Chief of Strategy and Performance Management, the Office of Charter Schools began an investigation into the allegations against SECH on August 29, 2019 and concluded the investigation on September 5, 2019.

The Office of Charter Schools had received two parent complaints in our office, from PARENT 1 and PARENT 2, and following the normal course of business, requested a response from SECH to those incident reports within five days. This was independent of, but contributed to, the immediate investigation into the above referenced allegations.

II. INVESTIGATORY METHODOLOGY

To facilitate a full investigation into the allegations, the Office interviewed and/or communicated with the following SECH staff and representatives, and other entities:

- PARENT 1, mother of an 11th grade student at SECH;
- PARENT 2, mother of an 11th grade student at SECH;
- Ashley Smith, CEO of SECH’s sponsoring organization, Artesian Schools and interim principal of SECH;
- Dr. Marshetta Brazley-Rodgers, SECH Special Education Director;
- Members of the Artesian Schools governing board; and
- Employees of Shelby County Schools (“SCS”)

The Office also requested and/or reviewed various items and documents, which included, but were not limited to, a complete staff list; the names of vendors providing any on-line services; copies of student schedules; descriptions of modified scheduling and the impact in the required number of instructional days, delivery of services to students with individualized education programs (“IEPs”), documents concerning the AccuPlacer test, the status of text books for Dual Enrollment courses, and transition periods. In response, SECH submitted numerous documents, including paper block schedules; various emails between SECH and parents, Southwest Community College, and SCS staff members; staff lists and licensure information, and narratives addressing the allegations.

The Office relied on the expertise of the District departments of Student Information Technology (“SIM”), Exceptional Children, Human Resources, and Dual Enrollment for additional insights and to interpret the information received.

The Office conducted a conference call with the above referenced SECH staff, SIM, Dual Enrollment, and Exceptional Children on September 4, 2019.

III. FACTS

STUDENTS DO NOT HAVE COMPLETE SCHEDULES

The Office of Charter Schools examined the PowerSchool records for SECH during the final week of August and determined that they were incomplete. Additionally, an audit of schedules was conducted by the SIM Team the following week, which found that on September 3, 2019, of the 81 enrolled 9th graders, 16 had no 7th period, two had no 6th period, two had no 5th period, and one had no 1st period. Five 9th graders had no courses scheduled. Of the 79 enrolled 10th graders, four had no Homeroom and two students had no schedules. Finally, of the 37 enrolled 11th graders, “none are fully scheduled.” The SIM Team further stated that it appeared, from the Master Schedule, that there

3 – SECH Investigation Findings

was not “enough courses for the 11th graders to have a full schedule. It seems they take their courses as Dual Credit with Southwest [Community College] instructors.”

Ms. Smith indicated in her response to PARENT 1’s complaint that she “did not know the timeline of when schedules should be in PowerSchool” and that she was not aware the schedules should have been completed until another staff member informed her that “most counselors have this scheduling complete for all returning students before the school year starts.” The SIM team confirmed that the District’s expectation is that both student schedules and Master Schedules be complete before school begins.

Further, SECH contends that 11th grade students could not start a complete schedule until Southwest Community College began courses, since the upper classman schedule relies on Dual Enrollment courses. During the first two weeks of school, 11th graders attended school on a modified schedule, which included half-days and two non-Dual Enrollment courses.

SECH provided several weeks of paper block schedules, which they contends were used by students and staff to administer school for the first month of school. The schedules provided by the school are not individual student schedules, but are broken up by homerooms. When a member of the Department of Exceptional Children and Health Services visited SECH’s campus on August 28, 2019, they reported that “after a delay of over an hour, the [administrative team] produced student schedules” but that those schedules had “duplicate courses on them.”

The SIM team confirmed that SECH staff had been working with District staff to complete their schedules prior to any complaints being filed in the Office of Charter Schools or being lodged with the Board of Education.

STAFFING SHORTAGES

SECH did not attempt to obfuscate or otherwise hide that they are experiencing staffing shortages. The staff list provided by SECH lists Algebra I and Biology as being taught by instructors who have not yet passed the Praxis. English II is being taught by a long-term substitute. And Algebra II and Geometry are being taught by staff from Proximity Learning, with education aides monitoring the class rooms.

The Human Resources team performed a licensure check for SECH and arrived at the same determinations concerning which teachers were licensed and in what subjects. However, they also determined that several teachers who appear in PowerSchool do not appear on the Staff list provided by SECH, and that, further, the World History and Geography instructor is teaching outside their endorsement area. The HR team confirmed that there are no waiver or permit requests for SECH.

During the interview, Ms. Smith confirmed that AmeriCorps service members serve as tutors, not as substitute teachers, and assist in school operations, but not instruction.

STUDENTS WITH IEPs NOT RECEIVING PROPER SERVICES

On August 28, 2019, Ms. Ivory Stewart, of the Department of Exceptional Children and Health Services, met with Ms. Smith and Dr. Brazley-Rodgers on the SECH campus to discuss the delivery of special education services. The District found that the SECH special education teacher did not have a permanent schedule, and, further, that while the special education teacher possessed a

4 – SECH Investigation Findings

spread sheet to track student names, disabilities, and the amount of services per student, the school was not, at that time, providing the required services for those students.

SECH held half-day courses for 11th grade students from August 12 to August 23, and identified three 11th graders who have IEPs. The decision to modify the schedule for 11th grade students to half-days may have resulted in the need to provide compensatory services for those three students. It appears as though there is a draft in place to provide compensatory services, but that these services have not yet begun.

Based on the proposed student schedule submitted by the SECH special education teacher to the SECH Special Education Director, Exceptional Children has identified lingering concerns around the teacher splitting time during the 2nd, 7th, and 8th periods of the school day. No individual student schedules were provided by SECH to the Office of Charter Schools.

Documents submitted by SECH and conversations with SECH staff confirm that SECH has only recently taken steps to ensure that students with IEPs have their required services met in Dual Enrollment courses. SECH staff admit they met with the community college's Director of Student Disability Services to "discuss students receiving accommodations in college classes" on August 27, 2019, a full day after the college courses began.

Additionally, Human Resources has identified the special education teacher at SECH is licensed for intervention only.

STUDENTS WILL NOT RECEIVE AN ASSOCIATE'S DEGREE

PARENT 1 provided to our office an email chain, which included an email dated August 16, 2019, which appears to invite 10th and 11th grade parents to an information session being held in the morning and the evening of August 18, 2019. Additionally, the August 16 email states "All students coming to SECHS have the opportunity to earn an associate degree. There are requirements that students must meet, however . . ." and goes on to briefly discuss passing all high school courses ("Our first priority is that students graduate from high school"), passing the AccuPlacer, and possessing the proper attitude.

NO TEXTBOOKS AND COURSEWORK FOR DUAL ENROLLMENT

SECH staff submitted an email, dated August 8, 2019, from Ms. Smith to the Executive Administrative Assistant to the President of the Southwest Community College, discussing the cost of Personal Finance text books, and indicating that SECH would purchase two sets of those textbooks. However, another email was included, dated August 28, 2019, inquiring, "which books are required for the courses our students are signing up for? Some students went to class today and the professors were surprised they did not have text books."

SECH contends that the Community College did not inform the high school concerning which books would need to be purchased, and, further, that when SECH staff were informed by the students returning from the college courses that they needed textbooks, SECH attempted to order those books from the campus bookstore, but that the bookstore was sold out.

5 – SECH Investigation Findings

STUDENTS UNESCORTED ACROSS THE COLLEGE CAMPUS

SECH submitted documentation that identifies AmeriCorps service members who assist in the transition of students during passing periods.

STUDENTS MISSING REQUIRED CREDITS

PARENT 2's student appears to have struggled in certain courses their freshman year of high school, and email documentation supplied by SECH suggests the parent meet with school administration and teachers to discuss her student's grades in February 2018. It appears that the student was enrolled in credit recovery at that time, and that Ms. Smith, then acting solely as the Artesian CEO, monitored that progress. However, in an email on May 30, 2019 asking an AmeriCorps service member to follow up with the parents of students who had not completed 70% of the credit recovery program, it appears that over a year later, PARENT 2's student was still enrolled in credit recovery for the courses they had failed the year prior.

In August 2019, an email chain submitted by SECH suggested that PARENT 2's student passed two of three credit recovery courses, but there was some confusion about how to update PowerSchool to reflect this accordingly.

There does not appear to be any additional missing required credits.

COURSES BEING TAUGHT OUT OF SEQUENCE

During the September 4 conference call, the Dual Enrollment staff did not identify a compliance concern with the course sequence for English courses at SECH, only that the course sequence was not "the traditional practice" for SCS Dual Enrollment courses.

STUDENTS UNABLE TO TAKE CREDIT RECOVERY COURSES

In their response to our request for a narrative response to concerns around credit recovery, SECH stated "[SECH] has provided credit recovery to students since [the] 4th quarter of our first year of operation" but that "[SECH] will not offer credit recovery next year, as students have the option to take credit recovery offered by the district each summer."

In the response narrative to PARENT 2's complaint, SECH committed to ensuring transcripts are updated to reflect credit recovery, but also provided an email, dated August 27, 2019 at 4:43pm, addressed to PARENT 2, stating "[SECH] will no longer offer credit recovery. Students can attend credit recovery through SCS's summer school and/or other credit recovery opportunities."

IV. CONCLUSIONS

Based on the interviews with the above-mentioned individuals, a review of documents and items provided by these individuals, we made the following conclusions with respect to each allegation:

ALLEGATION # 1 – STUDENTS DO NOT HAVE COMPLETE SCHEDULES

SECH did not have complete schedules for students when school began, nor do they have complete schedules now. A review by the Student Information Management Team found that on September 3, 2019, of the 81 enrolled 9th graders, 16 had no 7th period, two had no 6th period, two had no 5th period, and one had no 1st period. Five 9th graders had no courses scheduled. Of the 79 enrolled 10th graders, four had no Homeroom and two students had no schedules. Finally, of the 37 enrolled 11th graders, “none are fully scheduled.” But, according to SIM, the unusual nature of the academic program at SECH has rendered PowerSchool an insufficient tool for properly “scheduling” students in the 11th and 12th grades, and the PowerSchool record serves to capture the number of actual minutes a student is in class, and not where they are at any given time.

Additionally, at least two other high schools do not have schedules currently in PowerSchool, the state’s official reporting student information management system, at this time, indicating that this concern is not unique to SECH.

SECH has been unable to produce individual student schedules, either in person or via email.

Allegation #1 is substantiated.

ALLEGATION # 2 - STAFFING SHORTAGES

There is some indication of operational troubles and confusion around licensure waivers and permits at SECH. A staff list provided by SECH indicates that Algebra I and Biology are currently being taught by unlicensed teachers who need waivers pending their taking of the Praxis in late September. English II is being taught by a long term sub hired from a third-party service. Algebra II and Geometry are being taught through Proximity Learning. SECH was unaware that they could and should record the names of college instructors teaching Dual Enrollment courses instead of using “Placeholder.” The staffing shortage, therefore, is not as significant as it appears in PowerSchool.

No AmeriCorps service members are acting as substitute teachers.

While all courses are staffed, including those staffed by long-term substitutes or a temporary on-line vendor, not all courses are currently being administered by a licensed teacher or by a staff member possessing a permit or a waiver. Therefore, Allegation #2 is substantiated.

ALLEGATION # 3 - STUDENTS WITH IEPs NOT RECEIVING PROPER SERVICES

Exceptional Children’s visit the SECH campus, review of documents, and conversations with SECH staff confirmed that the school is struggling to adequately provide the required services to their students with special needs, both in the lower and the upper level courses. Students schedules were not promulgated or finalized by the time school began. There was confusion around how to provide compensatory hours to students who may have lost accommodation time due to modified scheduling. As late as August 28, 2019 there was no indication that accommodations and services had been provided by SECH at all.

This allegation is substantiated.

7 – SECH Investigation Findings

ALLEGATION # 4 - STUDENTS WILL NOT RECEIVE AN ASSOCIATE’S DEGREE

There is not enough evidence to determine that students will not receive an Associate’s Degree upon completing high school. There is some evidence to suggest that some students will not earn an Associate’s Degree based on disqualifying academic performance, but that the opportunity is still available to students who meet the academic threshold.

Therefore, this allegation is unsubstantiated.

ALLEGATION # 5 – NO TEXTBOOKS AND COURSEWORK FOR DUAL ENROLLMENT

In response to this line of inquiry, SECH submitted an email chain that identifies some plans to purchase text books in advance of the academic year, but admits they did not have the required textbooks for the start of the college courses. This allegation is substantiated.

ALLEGATION # 6 - STUDENTS UNESCORTED ACROSS THE COLLEGE CAMPUS

SECH’s additional documentation indicates that passing periods are monitored by AmeriCorps service members. This allegation is unsubstantiated.

ALLEGATION # 7 - STUDENTS MISSING REQUIRED CREDITS

There is no evidence that outside of students who have failed previous courses and were promoted to the next grade that any student is missing a required credit. It appears this confusion arises from SECH’s PowerSchool maintenance and reliance on Dual Enrollment courses in the upper grades. This allegation is unsubstantiated.

ALLEGATION # 8 - COURSES BEING TAUGHT OUT OF SEQUENCE

This allegation appears to be the result of confusion around the Dual Enrollment courses in the upper grades, and is unsubstantiated.

ALLEGATION # 9 - STUDENTS UNABLE TO TAKE CREDIT RECOVERY COURSES

The narrative provided by SECH confirms this allegation and includes the email that PARENT 2 referenced when addressing the Board of Education on August 27, 2019. This allegation is substantiated in part, as SECH is still accepting credit recovery, but will not be offering credit recovery itself.